

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BRYON C. KOELLER,

Petitioner,

v.

MELISSA ANDREWJESKI,

Respondent.

CASE NO. 2:22-cv-00046-TL

ORDER DENYING CERTIFICATE
OF APPEALABILITY

This matter is before the Court on Petitioner's Motion for Certificate of Appealability.

Dkt. No. 31. "A certificate of appealability may issue . . . only if the [petitioner] has made a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). A petitioner can satisfy this standard "by demonstrating that jurists of reason could disagree with the district court's resolution of his constitutional claims or that jurists could conclude the issues presented are adequate to deserve encouragement to proceed further." *Miller-El v. Cockrell*, 537 U.S. 322,

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1 327 (2003) (citing *Slack v. McDaniel*, 529 U.S. 473, 484 (2000)). Neither Mr. Koeller's
2 objections to the Report and Recommendation nor his motion meet this standard. *See* Dkt.
3 Nos. 26, 31. The Court therefore DENIES Mr. Koeller's request for a certificate of appealability.

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5 Dated this 25th day of January 2023.

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7 Tana Lin
8 United States District Judge

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